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EXAMINER	
DAGNEW, SABA	
ART UNIT	PAPER NUMBER
3688	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/665,250	SOREM, STEVE	
	Examiner	Art Unit	
	SABA DAGNEW	3688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23,25-50,52 and 54-70* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23,25-50,52 and 54-70* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *24 January 2011*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

This action is in reply to the amendment filed on 13 January 2011. Claims 1, 25, 59, 60 and 70 have been amended. Claims 1-23, 25-50, 52 and 54-70 are currently pending and have been examined.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 January 2011 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims1-17, 19-23, 25-50, 52-60 and 70 is rejected under 35 U.S.C. 102(e) as being anticipated by Ng (U.S. Patent No. 6, 405,175 B1).

With respect to claims 1, 25, 44, 50, 59-60 and 70, Ng teaches a method for tracking promotion of at least on group of products, comprising:

communicatively coupling, by a computer network, a remote station to a user station **(Col. 1, lines 43-48,** *where "* personal computer (PC) to access web site via internet*" reads on* communicatively coupling by a computer network a remote station of a user station **and Col. 3, line 40-49,** teaches a network connection coupled to the data-entry module**);**

providing a database communicatively coupled to the remote station **(Col. 3, line 40-49,** teaches a network connection coupled to the data-entry module and accessing database via network **);**

receiving, from a provider of the products in the at least one group, at least one permissible candidate code **(abstract,** teaches database that contains a wide variety of products from many different suppliers, **Fig. 4, 64**, teaches product identifier (candidate code) and **Col.4, line 19,** teaches product database **);**

maintaining at least one account associated with a user **(Col. 3, lines 28-29,** teaches database that contains account record for users **and Col. 5, lines 55-58,** teaches establishing account in the database by using account manager**);**

receiving, from the user station, at least one new product code, that comprises a unique code that identifies each product in the at least one group and each product of the group is substantially identical in type and the at least on new product code is input into the use station by the user **(Fig. 3,** which teach category (group) *of product such as "PC-Computers" and "SUPERLAP 501" product code,* **Col. 5, lines 55-59,** teaches entering new product information

and **Col. 6, lines 19-36**, *teaches entering product information and where "specific model name and number such as "SuperLap 501" " reads on unique code that identifies each product*);

storing the at least one new product code in the database (**Fig. 6, 144** teaches data stored in temp storage **and Col.5, liens 34-43 ,** teaches entering a new data into database);

comparing, using at least one computer processor, the at least one new product code received from the user station against one or more product codes that were previously stored in the database (**Fig. 6,** teaches storing product information after verifying product information not in the database **and Col. 9, lines 32-65**, teaches comparing to see if the product is already in the database);

comparing, using at least one computer processor, the at least one new product code against the at least one permissible candidate code (**Fig. 6,** teaches storing product information after verifying product information not in the database **and Col. 9, lines 32-65**, teaches comparing to see if the product is already in the database and storing in the temp database);

crediting, using at least one computer processor, the at least one account with a non-zero promotional credit upon the at least one new product code differing from the one or more product codes stored in the database and the at least one permissible candidate code (**abstract,** teaches rewarding user for submitting product information, **Fig. 6, 150 and** 152 calculating reward points **and Col. 3, lines 8-20,** teaches rewarding consumer for submitting product and price information and **Col. 13, lines 35-38,** teaches rewarding consumer-user for entering product information);

marking the at least one new product code as a consumed code, wherein the consumed code is not usable by a subsequent user (**Col. 16, lines 11-*20, where"*** confirming the correct

price by the third user when the second user submits inc*orrect price for the same product"* reads on marking product code as a consumed code) ;

storing the at least one new product code in the database(**Fig. 6, 144** teaches data stored in temp storage **and Col.5, liens 34-43 ,** teaches entering a new data into database); and

issuing, by at least on computer processor, a credit certificate to the account upon a pre-set value of non-zero valuation credits being accumulated in the account, wherein the credit certificate is usable as a coupon, rebate, or refund by the user and the user is notified of the pre-set value being accumulated (**Fig. 5,** teaches points credited to users for submitting product info, **Col. 1, lines 15-22,** teaches issuing value stamps or coupons that a consumer could accumulate and exchange for a reward **Col. 3, lines 29-40,** teaches rewards database contain account recorded for user including the reward count for each user and **Col. 7, lines 61-67**, teaches adding **20** points to a user reward cont for submitting the new information).

Additionally, Ng teaches in claims 1 and 25 tracking valuation of at least one of a group of products and a group of service (**Col. 4, lines 50-58,** *where "* supplying correct product and price information*" reads on tracking valuation of products and* **Col. 6, lines 27-36**, teaches price information in group of related products and teaches entering a specific model name and number such as SuperLap 501" product line that manufacture makes), the data base server being further configured to issue a credit certificate, that is usable as a coupon, rebate, or refund by the user and the user is notified of the preset value being accumulated to the account **Col. 1, lines 15-22,** teaches issuing value stamps or coupons that a consumer could accumulate and exchange for a reward **Col. 3, lines 29-40,** teaches rewards database contain account recorded for user including the reward count for each user and **Col. 7, lines 61-67**, teaches adding **20** points to a

user reward cont for submitting the new information) and tracking a group of promotional certificates that each bears a code that uniquely identifies at least each one in the group **(Col. 4, lines 65-67,** where "consumers are rewarded for supplying information about lower-price information" reads on tracking promotional certificate **and Col. 6, lines 27-36**, teaches price information in group of related products and teaches entering a specific model name and number such as SuperLap 501" product line that manufacture makes)

With respect to claim 2, Ng teaches all elements of claim 1, furthermore, Ng teaches the method wherein said database further includes at least one permissible new candidate code and wherein the at least one permissible new candidate code may be provided by a provider of the ones in the group wherein said database server compares each new candidate code against the at least one permissible new candidate code ***(Fig. 3, 56, where "SUPERLAP 501"*** reads on new product code and at least on permissible new candidate code**, Col. 6, lines 20-36,** teaches a specific model name and number *such as "SuperLap 501" is entered*)

With respect to claims 3 Ng teaches all elements of claims 1 and 2, furthermore, Ng teaches the method wherein the non-zero valuation credit may be not credited if the new candidate code does not match one of the at least one permissible new candidate codes **(Col. 10, lines 8-14,** teaches sending a message that no points were earned, when the information was already in the database)**.**

With respect to claims 4, and 9, Ng teaches all elements of claims 1 and 3, furthermore, Ng teaches the method wherein there are at least two groups, and wherein each group may be

provided by a different provider **(Fig. 1, and Col. 1, lines 58-66,** teaches different stores (providers)**).**

With respect to claims 5, and 10 Ng teaches all elements of claims1, 2, 3, 4 and 9, furthermore, Ng teaches the method wherein said database server maintains separate previously received codes and separate permissible new candidate codes for each provider **(Col. 9, lines 54-65**, *teaches "temporary storage" where* new product information maintains**).**

With respect to claims 6 and 32, Ng teaches all elements of claims 1 and 25, furthermore, Ng teaches the method wherein said database may be resident on a network server at the remote station **(Fig. 2Col. 3, line 40-49,** teaches a network connection coupled to the data-entry module and accessing database via network and **Col. 5, lines 27-33**, teaches product and price database and connecting user via internet**).**

With respect to claims 7, and 33, Ng teaches all elements of claims 1, 6, 25, 32 and 61, furthermore, Ng teaches the method, wherein the communicative coupling may be an internet connection **(Fig. 2, Col. 3, line 40-49,** teaches a network connection coupled to the data-entry module and accessing database via network/internet and **Col. 5, lines 27-33**, teaches product and price database and connecting user via internet**).**

With respect to claim 8, Ng teaches all elements of claim 1; furthermore, Ng teaches the method wherein said database server includes one account associated with each user to correspond to one group for the crediting of the non-zero valuation credit **(Col. 3, lines 29-40,** teaches rewards database contain account recorded for user including the reward count for each user)

With respect to claims 11, 34, 46 and 55, Ng teaches all elements of claims 1, 25, 44 and 50, furthermore, Ng teaches the method wherein said database server, upon storing a previously received code, further stores the previously received code as a consumed code **(Col. 16, lines 11-20, *where"*** confirming the correct price by the third user when the second user submits incorrect *price for the same product" reads on marking product code as a consumed code*)**.**

With respect to claims 12, 35, 47 and 56 Ng teaches all elements of claims 1, 11, 25, 34, 44, 46, 50 and 55, furthermore, Ng teaches the method wherein the consumed code cannot be entered as a previously received code by a subsequent user **(Col. 10, lines 8-14,** teaches no points were earned when all information already in the database).

With respect to claims 13-17, and 36-38 Ng teaches all elements of claims 1 and 25, furthermore, Ng teaches a method wherein the uniquely identifying code may be a UPC, SPIF, numeric, alphabetic and alpha-numeric **(Fig. 3, 56, and Col. 6, lines 31-36** teaches model name *and number "SUPERLAP 501" reads on alpha*-numeric) .

With respect to claims 19-22 and 39-42, Ng teaches all elements of claims 1 and 25, furthermore, Ng teaches a user input device such as a keyboard to type the new candidate code into an internet browser **(Col. 6, lines 31-36,** teaches user types in the brand make or model number and **Col. 14, lines 20-32**, teaches bar-code reader)

With respect to claims 23 and 43, Ng teaches all elements of claims 1 and 25, furthermore, Ng teaches the method wherein a web browser is resident on the remote station and the user station (**Fig. 1 and Col 1, lines 43-57**, *where "browser on a local client personal computer (PC) " reads on browser is resident on the user station* **and Col. 6, lines 20-25,** where

"user types or pastes in UR address for the supplier's webpage" reads on remote station browser**).**

With respect to claim 24, Ng teaches all element of claim 1, furthermore, Ng teaches the method wherein a credit certificate may be issued to the user account once a pre set value of non-zero valuation credits may be accumulated in the user account **Col. 1, lines 15-22,** teaches issuing value stamps or coupons that a consumer could accumulate and exchange for a reward **Col. 3, lines 29-40,** teaches rewards database contain account recorded for user including the reward count for each user and **Col. 7, lines 61-67**, teaches adding **20** points to a user reward cont for submitting the new information **).**

With respect to claims 26, and 51, Ng teaches all elements of claims 25, and 50, furthermore, Ng the user may be a retailer **(Col. 5, lines 1-3,** *where "consumer supplying the* low-*rice information" reads on retailer***).**

With respect to claims 27, Ng teaches all elements of claim 25 and 26, furthermore, Ng teaches the method, wherein the account credited may be a retailer's account, and wherein the non-zero certificate credit may be equivalent to a purchase value for the certificate **(Col. 9, line 25-29,** teaches points can be converted into prizes, such as bonus, online time, special offers, telephone calling cards minutes, ... cash or stock**).**

With respect to claims 28, 48 and 57, Ng teaches all elements of claim 25, 44 and 50, furthermore, Ng teaches the method wherein said database further includes at least one permissible new candidate code, and wherein the at least one permissible new candidate code may be provided by a provider of the certificates in the group **(Fig. 6, 144** teaches data stored in

temp storage, **Col.5, liens 34-43,** teaches entering a new data into database and **Col. 6, lines 37-45,** teaches product categories (group)); and

and wherein said database server compares each new candidate code against the at least one permissible new candidate code (**Col. 6lines 1-3,** teaches database compares the product and price information in database**).**

With respect to claim 29, Ng addressed by the rejection of claim 3 as cited above.

With respect to claim 30-31, Ng addressed by the rejection of claims 4 and 5 as cited above.

With respect to claims 45 and 54 Ng addressed by the rejection of claim 70 as cited above.

With respect to claim 49, Ng addressed by the rejection of claim 3 as cited above.

With respect to claim 52, Ng teaches all elements of claims 50 and 51, furthermore, Ng teaches the method further comprising exchanging, by the retailer, of at least one product of value equivalent to the gift certificate for the gift certificate, prior to said comparing **(Col. 9, line 25-29,** teaches points can be converted into prizes, such as bonus, online time, special offers, telephone calling cards minutes, ... cash or stock)

With respect to claim 58, Ng addressed by the rejection of clams 1 and 2 as cited above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Ng (U.S. Patent No. 6, 405,175 B1) in views Edwards (US Patent Number 5,895, 075).

With respect to claim 18, Ng teaches all elements of clam 1, including bar-code reader for reading bar-code in offline stores to compare prices **(Col. 14, lines 19-24).** Ng does not explicitly teach new candidate code may be placed under a peel off label.

However, Edwards teaches new candidate code may be placed under a peel off label **(Figs. 1-2, Col. 3, lines 3-6 and Col. 5, lines 55-57** teaches peel-of label**).** Therefore, it would have been obvious to the one ordinary skill in the art at the time of the invention was made to include removable label as taught by Edwards in the system of Ng in order to prevent recognition of the optically readable pattern **(see Edwards abstract)**

Claims 61-69 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Ng (U.S. Patent No. 6, 405,175 B1) in views of Jones et al (U.S. Patent Number 5, 623,547)

With respect to claim 61, Ng teaches a transaction processing and tracking system comprising:

at least one front-end service providing at least one product bearing a code that uniquely identifies said product **(Fig. 3,** which teach cat*egory (group) of product such as "PC-Computers" and "SUPERLAP 501" product code,* **Col. 5, lines 55-59,** teaches entering new

product information and **Col. 6, lines 19-36**, teaches entering product information and where *"specific model name and number such as "SuperLap 501" "reads* on unique code that identifies each product**);**

at least one back-end service communicatively coupled to said at least one front-end service**(Col. 1, lines 43-48,** teaches personal computer (PC) to access web site via internet **and Col. 3, line 40-49,** teaches a network connection coupled to the data-entry module**).**

Ng teaches all the above elements including at least one account, associated with a user, of the front-end service wherein said at least one account is communicatively coupled to said at least one front-end service **(Col. 3, lines 28-30,** teaches reward database contain account records for users including a reward count for each user**),** wherein said at least one product is transacted in exchange for multiple resource types included in said account by interacting with said account in accordance with an agreed value of said at least one product **(Col. 5, lines 55-66,** teaches rewarding the user by increasing a reward count when a user enters new product information) and crediting a point to the second user (user B) for rating or commenting which the first user (user A) entered **(Col. 8, lines 23-67)** and teaches crediting the second user (user B) 3.75 points for correcting and teaches distributing points while (user A) receives 11.25 points **(Col. 9, lines 1-30).** Ng does not explicitly teaches at least one pre-defined purse suitable for use in the transaction and wherein further the user can transfer value from the at least one account associated with the user to at least one account belonging to a second user of the front end service.

However, Jones teaches at least one pre-defined purse suitable for use in the transaction **(abstract,** teaches electronic purse, which can be load with the valued and the redemption value

from purse) and wherein further the user can transfer value from the at least one account associated with the user to at least one account belonging to a second user of the front end service **(Col. 1, lines 14-19**, teaches fund transfer between specific customer and the specific retailers**).** Therefore it would have been obvious to the one ordinary skill in the art at the time of the invention was made to include electronic purse and value transfer capability as taught by Jones in the system of Ng in order to allow purses to communicate with each other to transfer value in transaction **(See, Jones Col. 2, lines 16-18).**

With respect to claims 62 and 63, Ng in view of Jones teaches all elements of claim 61, furthermore, Ng teaches the method, wherein the communicative coupled comprises a known communication network **(Col. 3, line 40-49,** teaches communication network, and the network is an internet**);**

With respect to claim 64, Ng in view of Jones teaches all elements of claim 61; including payment method such as credit card, check **(Col. 7, line 31-33).** Ng does not explicitly teach at least one of merchant financial resource, service providers, and business partners.

Jones teaches at least one of merchant financial resource, service providers, and business partners **(Col. 1, lines 14-19,** *teaches "financial transaction", include credit cards and debit* card with customers**).** Therefore, it would have been obvious to the one ordinary skill in the art at the time of the invention was made to include financial institution as taught by Jones in the system Ng in order to allow payment transaction between merchant and customers.

With respect to claim 65, Ng in view of Jones teaches all elements of claim 61, furthermore, NG teaches the system wherein said at least one back-end service includes at least one of a server and software resource **(Col. 3, lines 29-35,** *teaches "reward module" (software),*

Col. 10, lines 27-28, teaches web site's server, **and Col. 14, lines 44-45,** teaches database manager and web server can be used in conjunction with the web service) **.**

With respect to claim 66-69, Ng in view of Jones teaches all elements of claim 61, furthermore, NG teaches the system wherein transactions include value based transactions, interacting includes debit, credit and value chaining **(Col. 7, lines 31-33,** teaches payment method, which is credit cards, check, etc..., to order product**).**

Response to Arguments

Applicant's arguments filed on 13 January 2011 have been fully considered but they are not persuasive.

Applicant argued in pages 18-22 that Ng fails to "teach a method for tracking promotion at least on group of products" and applicant further argued that Ng fails to anticipate the recited elements of those clams also.

However, the examiner respectfully disagrees with the applicant because Ng in col.4 lines 59-66 teaches consumers can update price information when they find lower prices for items not listed in the database (new products) and rewarding consumer for supplying (tracking) information about lower prices (promotional products). Therefore, as indicated above, Ng reference covers the claimed elements as cited, and dependent claims 28-38, 44-49 and 54-58 remain rejected.

Applicant argued in page 23 hat dependent claim 18 is allowable since it depends from independent claim 1.

However, the examiner respectfully disagrees with the applicant because claim 18 remains rejected since Ng reference address the elements of claim 1.

Applicant argued in page 23 that Jones fund transfer between a customer and a retailer is not equivalent to the transfer of the as shown by plane language of the claim the user and the second user are similar entities and both have accounts.

Applicant argued in page 24 and 25 that Jones fails to disclosure transferring value from the user to an account of a second user of the front end service.

However, the Examiner respectfully disagrees with the applicant because Jones disclosed transferring value from the user to an account of a second user of the front end service (**Col. 1, lines 14-19**, teaches fund transfer between specific customer and the specific retailers, where *"specific customer and the specific retailer" reads on transferring from the user to an account of* the second user of the front end service). Furthermore, Jones in Col. 2, lines 11-31, teaches providing a value transfer system, a plurality of electronic pusses (credit card), reads on transferring between two users account and value redemption means, and in Col. 2, lines 14-18, teaches purses communicate with each other for transfer of values by means of communication devices. Therefore, claims 62-69 remain rejected since the elements of claim 61 addressed by Ng and Jones.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SABA DAGNEW whose telephone number is (571)270-3271. The examiner can normally be reached on 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SABA DAGNEW/
Examiner, Art Unit 3688